

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA

-v-

MICHAEL AVENATTI,

Defendant.

19-CR-374-1 (JMF)

**AFFIDAVIT OF CLARK
O. BREWSTER IN
SUPPORT OF MOTION
TO QUASH SUBPOENA
TO STEPHANIE
CLIFFORD**

State of Oklahoma)
) ss:
County of Tulsa)

Clark O. Brewster, being duly sworn, hereby deposes and says as follows:

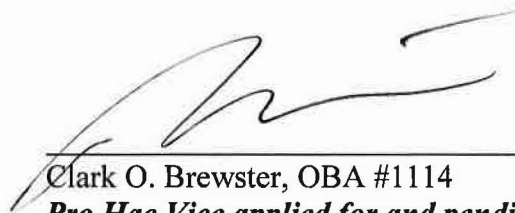
1. I am the principal and managing attorney of Brewster & DeAngelis, PLLC, a law firm in Tulsa, Oklahoma.
2. I am over the age of 18, of sound mind, and have never been convicted of a felony. I execute this instrument based on my personal knowledge of the operative facts and circumstances. If called on, I would testify to its contents under oath.
3. I submit this affidavit in support of my client Stephanie G. Clifford's motion to quash Mr. Avenatti's January 7, 2022 subpoena *issued to her* in the above-captioned matter.
4. The undersigned is longstanding personal counsel to Ms. Stephanie Clifford, the alleged victim of Mr. Avenatti's alleged criminal conduct in this case.
5. The trial subpoena to Ms. Clifford requires her attendance for trial on January 24, 2022 in New York. *See* Trial Subpoena, Ex. A.
6. The subpoena did not come with witness fees nor has the defendant (or his counsel) made any arrangements with Ms. Clifford or my office for the payment of witness fees.

7. In the Rider, Mr. Avenatti's subpoena claims that the "defendant is indigent and invokes Rule 17(b) F.R.CRIM.P." *See* Ex. A.
8. At my direction, my office staff reviewed this Court's docket for this case in search of (a) the defendant's application for a subpoena to issue to the undersigned; and (b) an order from this Court approving issuance of this subpoena to me. My office staff reported to me that they located neither.
9. The at-issue subpoena has a Rider, that makes several document requests to Ms. Clifford. The requests have been summarized below:
 - Provide any and all communications between Stephanie Clifford and Michael Avenatti between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.
 - Provide any and all communications about or mentioning Michael Avenatti between February 2018 - Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.
 - Provide any and all communications between Stephanie Clifford and Luke Janklow or Sally Richardson between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.
 - Provide any and all audio and video recordings and voicemails recorded between February 2018 – Present that include Michael Avenatti's voice.
10. The deadline for compliance is January 24, 2022. Thus far, the Parties have been unable to resolve their differences about the manner and scope of the subpoena.
11. Several of Mr. Avenatti's requests are broad and, in the undersigned's view, not specifically tied to the facts of the case at hand. To illustrate, Mr. Avenatti's subpoena requests "any and all communications about or mentioning Michael Avenatti between February 2018 -

Present.” The undersigned assumed representation of Ms. Clifford from Mr. Avenatti sometime in 2019 in several cases across the country. And as a foreseeable consequence, coupled with the unbounded nature of the requests as noted above, there are several documents created in anticipation of (or in aid of) that varied cross-country litigation *that in some fashion* mention “Michael Avenatti between February 2018 - Present.”

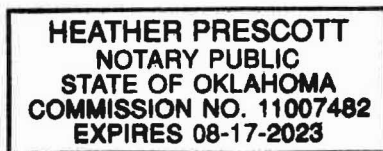
12. I state under penalty of perjury of the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Dated: January 18, 2022


Clark O. Brewster, OBA #1114
Pro Hac Vice applied for and pending
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State of Oklahoma)
) ss:
County of Tulsa)

This instrument was acknowledged before me on this 18 day of January, 2022 by Clark O. Brewster.




Notary Public

(S E A L)

My Commission Expires: 8-17-2023